

Message Text

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22

ORIGIN EB-07

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 AGR-10 CEA-01

CIAE-00 COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05

L-03 LAB-04 NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15

ITC-01 TRSE-00 USIA-15 PRS-01 SP-02 OMB-01 /116 R

DRAFTED BY EB/OT/STA:MCJONES:JH

APPROVED BY EB/OT/STA:WCLARK, JR.

EUR/RPE:ECASEY (SUBS)

EB/ORF/FRD:FMCELDFOWNEY (SUBS)

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R 200138Z APR 76

FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY ROME

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY DUBLIN

AMEMBASSY LUXEMBOURG

AMEMBASSY COPENHAGEN

INFO USMISSION GENEVA

USDEL MTN GENEVA

UNCLAS STATE 095112

E.O. 11652: N/A

TAGS: ETRD, EC

SUBJECT: 301 PROCEEDING -- SOYBEAN PRODUCERS ALLEGE UNFAIR
TRADE PRACTICE IN NFDM SUBSTITUTION

1. STR PUBLISHED IN THE FEDERAL REGISTER OF APRIL 12, 1976,

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A NOTICE OF COMPLAINT FILED BY JULIAN B. HERON, JR.,

COUNSEL FOR THE NATIONAL SOYBEAN PROCESSORS ASSOCIATION AND THE AMERICAN SOYBEAN ASSOCIATION, ALLEGING UNFAIR TRADE PRACTICES BY THE EC, IN THE FORM OF RESTRICTIONS ON THE AMERICAN SOYBEAN TRADE. THE PETITION ALLEGES THAT A CHARGE OF 30 UNITS OF ACCOUNT PER METRIC TON, EFFECTIVE MARCH 19, 1976, ON IMPORTS AND APRIL 1, 1976 ON DOMESTIC PRODUCTION OF VEGETABLE PROTEIN PRODUCTS - CHARACTERIZED AS A DEPOSIT BECAUSE AN IMPORTER OR PRODUCER CAN OBTAIN A REFUND BY BUYING 50 KILOS OF EUROPEAN NONFAT DRY MILK (NFDM) FOR EACH 1,000 KILOS OF SOYBEAN MEAL WILL REDUCE SOYBEAN IMPORTS FROM THE U.S. AND IS SPECIFICALLY DESIGNED TO CAUSE A SUBSTITUTION OF NFDM FOR SOYBEANS. THE COMPLAINT FURTHER ALLEGES THAT THE EC ACTION VIOLATES ARTICLE II OF THE GATT WHICH PROHIBITS THE IMPAIRMENT OF BENEFITS UNDER

TRADE AGREEMENTS, ARTICLE III, WHICH PROHIBITS USE OF MIXTURE REQUIREMENTS AS A PROTECTIONIST DEVICE AND ARTICLE VIII WHICH PROHIBITS FEES ON IMPORTS IN EXCESS OF

COSTS OF SERVICES. COMPLAINANT ALLEGES THAT THE SOYBEAN DEPOSIT IS A PROTECTIONIST DEVICE HAVING THE EFFECT OF A TARIFF.

2. HEARINGS HAVE BEEN REQUESTED BY COMPLAINANT AND WILL BE HELD AT 10 AM ON TUESDAY, MAY 11, 1976, AT THE OFFICE OF THE SPECIAL TRADE REPRESENTATIVE. REQUESTS TO PRESENT ORAL TESTIMONY AND ACCOMPANYING BRIEFS MUST BE RECEIVED BY MAY 4, 1976.

3. TEXT OF FEDERAL REGISTER NOTICE WILL BE POUCHED. ROBINSON

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Message Attributes

Automatic Decaptioning: X
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Disposition Remarks:
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Margaret P. Grafeld
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04 MAY 2006

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